

Application No.: 10/590,574

Docket No.: 06005/41117

REMARKS

Claims 1-21 and 38-58 remain pending and at issue in this application, with claims 1, 38, and 47 being independent claims, and claims 47-58 currently withdrawn. In view of the amendments above and the remarks below, Applicants respectfully request reconsideration and favorable action in this case.

Election/Restriction

With this Response, Applicants acknowledge the constructive election of claims 1-21 and 38-46, and withdraw claims 47-58 from consideration.

35 U.S.C. § 102 Rejections

Claims 1-21 and 38-46 stand rejected under 35 U.S.C. §102(b) as anticipated by Yuen et al. (U.S. Patent Publication No. 2003/0033037, hereinafter "Yuen"). With this Response, Applicants make amendments to clarify the scope of the claims.

Claim 1, as amended, is directed to a graphical support layer system and recites, in part, a plurality of display objects corresponding to a plurality of physical or logical process elements, a multiplicity of graphic visualizations of the process element, wherein one of the multiplicity of graphic visualizations is displayed on the display device as a graphic representation of the process element when the display object is executed by a processor; a graphic display stored on a computer readable memory and corresponding to a depiction of an interaction of the plurality of process elements, the graphic display including: references or copies of the plurality of display objects; and indications of which of the graphic visualizations to display on the display device during execution of the graphic display, wherein the system enables display of selected graphic visualizations of the plurality of display objects when displaying the graphic display; the graphic visualizations enabling the same display object to be used in displays designed for different types of display devices or in displays designed using different graphical styles.

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Yuen cannot anticipate claim 1 as amended because Yuen does not disclose all of the elements recited by the amended claim and, in particular, does not disclose a multiplicity of graphic visualizations of a process element, a graphic display corresponding to a depiction of an interaction of the plurality of process elements, the graphic display including references or copies of the plurality of display objects and indications of which of the graphic visualizations to display on the display device during execution of the graphic display; the graphic visualizations enabling the same display object to be used in displays designed for different types of display devices or in displays designed using different graphical styles. Though the particular manner in which the office action applies Yuen to claim 1 before amendment is not specifically laid out, it appears that the office action alleges that the various graphical elements in Yuen associated with the word “conveyor” disclose “a multiplicity of graphic visualizations of a process element,” as claim 1 recites. To the contrary, Applicants submit that each of the apparently alleged graphic visualizations is in a different/separate graphic display from the others and/or does not enable the same display object to be used in displays designed for different types of display devices or in displays designed using different graphical styles, as generally required by amended claim 1. Because Yuen does not disclose at least these elements, Yuen cannot anticipate claim 1 as amended, and Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim 38, as amended, is directed to a graphic display that represents interconnections between a plurality of physical or logical process elements within a process plant, and recites a plurality of graphical objects interconnected together wherein each of the graphical objects is associated with and includes multiple visualizations of a corresponding one of the plurality of process elements on a display screen during execution of the graphic display, wherein each of the plurality of graphical objects includes multiple visualizations of a corresponding one of the plurality of process elements and an indication of which of the multiple visualizations to display on a display screen during execution of the graphic display, the graphic visualizations enabling the same display object to be used in displays designed for

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different types of display devices or in displays designed using different graphical styles.

Applicants submit that Yuen cannot anticipate claim 38 as amended because Yuen does not disclose all of the elements of the amended claim and, in particular, does not disclose a plurality of graphical objects each including multiple visualizations of a corresponding process element and an indication of which of the multiple visualizations to display on a display screen during execution of the graphic display, and the graphic visualizations enabling the same display object to be used in displays designed for different types of display devices or in displays designed using different graphical styles. Though the particular manner in which the office action applies Yuen to claim 38 before amendment is not specifically laid out, it appears that the office action alleges that the application of Yuen to claim 38 is the same as the application of Yuen to claim 1. Accordingly, Applicants reiterate that each of the apparently alleged graphic visualizations is in a different/separate display object from the others and/or does not enable the same display object to be used in displays designed for different types of display devices or in displays designed using different graphical styles, as generally required by amended claim 38. Because Yuen does not disclose at least these elements, Yuen cannot anticipate claim 38 as amended, and Applicants respectfully request reconsideration and withdrawal of the rejection.

Each of claims 2-21 and 39-46 depends from one of claims 1 and 38. Accordingly, Applicants submit that each of claims 2-21 and 39-46 is allowable over Yuen for at least the reasons described above with respect to the independent claims. Applicants also respectfully submit that no further response to the rejections of the dependent claims can be made at this time, as it is unclear to the Applicants how the office action applies Yuen to the dependent claims. Applicants therefore respectfully request reconsideration and withdrawal of the rejections.

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CONCLUSION

Accordingly, all remaining claims are in condition for allowance for the reasons provided above. Although Applicants believe that no fees or petitions are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 13-2855 of Marshall, Gerstein & Borun, LLP under Order No. 06005/41117. Should the Examiner wish to discuss any of the foregoing comments or any claim amendments deemed needed to result in allowance, Applicants kindly request the Examiner to contact the undersigned by telephone at the number given below.

Respectfully submitted,

Dated: August 3, 2009

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